


EASTERN DISTRICT OF TEXAS

episodes. *See Porter v. Nussle*, 534 U.S. 516, 523-32 (2002); *Wood v. Hirsch*, 461 F. App'x 365, 365 (5th Cir. 2011) (affirming district court's refusal to stay proceedings to enable plaintiff to exhaust and rejecting claim that "emergency conditions" justified excusing the exhaustion requirements). Since plaintiff did not exhaust his administrative remedies prior to filing this action, the above-styled action should be dismissed without prejudice to plaintiff's ability to file his claims once he has exhausted the available administrative remedies.

ORDER

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 30th day of November, 2015.

A handwritten signature in black ink, reading "Marcia A. Crone", is positioned above a horizontal line.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE